

Message Text

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PAGE 01 PRAGUE 01446 261647 Z

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ACTION SS-25

INFO OCT-01 SSO-00 ADP-00 /026 W

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FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC IMMEDIATE 4595

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EXDIS

E. O. 11652: N/ A

TAGS: CGEN, PFOR, CZ

SUBJECT: CONSULAR CONVENTION NEGOTIATIONS

REF: STATE 122763

1. CHIEF OF MFA CONSULAR DEPARTMENT(CERVENKA) SHOWED TO CONSUL JUNE 26 DRAFT OF MINISTRY' S RECOMMENDATION TO INTERAGENCY GROUP WORKING ON DUAL- NATIONAL AGREEMENT AND ASKED FOR EMBASSY' S COMMENTS BEFORE HE SUBMITTED RECOMMENDATION. AFTER MAKING ONE CHANGE IN DRAFT AT CONSUL' S SUGGESTION, CERVENKA SAID THAT HE THOUGHT HE WOULD HAVE DEFINITE REPLY FOR EMBASSY BY JULY 2 OR 3. ALL GUARANTEES PRESENT IN U. S. PROPOSAL REMAIN IN CZECH DRAFT. IF CERVENKA' S RECOMMENDATION EMERGES INTACT AS GOVERNMENT' S POSITION WE SHOULD HAVE NO TROUBLE REACHING AGREEMENT.

2. MFA DRAFT FOLLOWS FORM AND SUBSTANCE OF U. S. PROPOSED EXCHANGE OF NOTES IN ALL SIGNIFICANT PROVISIONS WITH FOLLOWING EXCEPTIONS:
A. TERM " PERSON" USED IN U. S. DRAFT IS REPLACED BY " CITIZEN OF THE UNITED STATES OF AMERICA" IN PARAGRAPH 1 AND " CITIZEN OF THE CZECHOSLOVAK SOCIALIST REPUBLIC" IN PARAGRAPH 2. CERVENKA EXPLAINED THAT CZECHS WISHED TO SPECIFY THAT AGREEMENT APPLIES ONLY TO CITIZENS AND NOT TO ANYONE ELSE WHO MIGHT BE ENTITLED TO A PASSPORT.
B. PARAGRAPH 4 OF U. S. DRAFT CONCERNING NATURALIZATION TREATY

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IS OMITTED IN CZECH DRAFT. CERVENKA SAID THAT SINCE AGREEMENT WOULD NOT AFFECT TREATY AND SINCE TREATY REMAINED FULLY VALID, HE PREFERRED NOT TO MENTION IT BECAUSE IT MIGHT CREATE DIFFICULTIES IN OBTAINING APPROVAL OF OTHER MINISTRIES. IF U. S. INSISTED, HOWEVER, HE WOULD AGREE TO ITS INCLUSION.

C. FORMAT OF CZECH DRAFT WAS EXCHANGE OF LETTERS BETWEEN FOREIGN MINISTER AND AMBASSADOR, OR OTHER PERSON SIGNING FOR U. S., TO BE SIGNED AT SAME TIME AS CONVENTION.

3. REQUEST DEPARTMENT' S PRELIMINARY COMMENTS ON ABOVE. WE ANTICIPATE THAT MFA WILL ACT MORE RAPIDLY THAN PREVIOUSLY IN VIEW OF FLURRY OF ACTIVITY IN LAST TWO DAYS AND CZECH INTEREST IN HAVING CONVENTION READY TO SIGN AS SOON AS POSSIBLE.

4. EMBASSY' S REPLY TO QUESTIONS RAISED REFTEL FOLLOWS SEPTTEL. SHERER

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*** Current Handling Restrictions *** STADIS

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 26 JUN 1973
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973PRAGUE01446
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: PRAGUE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730629/aaaajpbs.tel
Line Count: 83
Locator: TEXT ON-LINE
Office: ACTION SS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: EXDIS, STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: EXDIS, STADIS
Reference: 73 STATE 122763
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 07 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07-Sep-2001 by rowellE0>; APPROVED <14-Sep-2001 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> jms 980226
Subject: CONSULAR CONVENTION NEGOTIATIONS
TAGS: CGEN, PFOR, CZ
To: SECSTATE WASHDC
SS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005